

LFC Requester:

Theresa Rodgers/Aurora
Sanchez

AGENCY BILL ANALYSIS
2016 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original ☒ Amendment ☐
Correction ☐ Substitute ☐

Date 1/9/2016

Bill No: HB 46

Sponsor: Rod Montoya

Agency Code: 305

Short

Person Writing Jeres S. Rael, AAG

Title: Sentencing for Certain Felonies

Phone: 505-629-9131 Email jrael@nmag.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY16	FY17	FY18		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Relationship: HB 83

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

This analysis is neither a formal Attorney General's Opinion nor an Attorney General's Advisory Letter. This is a staff analysis in response to an agency's, committee's, or legislator's request.

Synopsis:

HB 46 increases the basic sentence for second degree felonies resulting in the death of a human being and for third degree felonies resulting in the death of a human being.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

HB 46 increases the basic sentence for second degree felonies resulting in the death of a human being from 15 years imprisonment to 20 years imprisonment and for third degree felonies resulting in the death of human being from 6 years imprisonment to 12 years imprisonment. This bill makes the penalties for second and third degree crimes more consistent with penalties contemplated in statute NMSA 1978, Section 30-2-1. The bill provides additional time to allow the sentencing court more jurisdiction for incarceration, supervision, and treatment of offenders.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relationship: HB 83

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS

N/A